

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE:	:	
Durwood Hankinson	:	Chapter 13
	:	Case No.: 18-17841 MDC
Debtor(s)	:	

EXPEDITED MOTION TO VACATE ORDER GRANTING RELIEF

Debtor, Durwood Hankinson, by and through his Attorney Brad J. Sadek moves this Honorable Court to vacate its August 5, 2020 Order Granting Relief from the Automatic Stay in favor of Nationstar HECM Acquisition Trust 2018-1, hereinafter referred to as “Nationstar” and in support thereof avers the following:

1. The above captioned bankruptcy matter was filed on November 29, 2018.
2. Creditor, Nationstar, as reverse mortgagee, filed a Motion for Relief of the Automatic Stay on July 9, 2020 regarding the debtor’s property located at 901 South 3rd Street, Philadelphia, PA 19147.
3. A Certificate of No Response to its Motion for Relief was filed by Nationstar on July 28, 2020.
4. In the due course an Order was entered on August 5, 2020 by this Honorable Court granting relief from the Automatic Stay in favor of Nationstar.
5. Debtor’s counsel attempted to contact the Debtor via phone and written communication regarding the filing and severity of the Motion for Relief.
6. In March, 2022 the Debtor contacted his undersigned counsel regarding the Sheriff’s Sale scheduled on the subject property for April 5, 2022.

7. Due to the upcoming April 5, 2022 Sheriff's Sale this Motion is being filed on an emergency basis.
8. Debtor's counsel has been unable to obtain a post-bankruptcy petition delinquency amount as of the time of filing the instant Motion.
9. However, based on the Reinstatement Amount of \$65,540.42 as of March 25, 2022 minus the Chapter 13 plan balance in the sum of \$54,516.00 the post-bankruptcy petition amount is estimated at \$11,024.42. A true and correct copy of the March 25, 2022 Reinstatement obtained from foreclosure counsel is attached hereto and labelled as **Exhibit "A."**
10. Based on the equity in the property, the Debtor is eager to pay his post-bankruptcy petition amount to Nationstar or be given an opportunity to sell the property for fair market value within a reasonable amount of time.
11. Debtor avers they will be able to cure any remaining arrears prior to this Motion's Hearing Date.
12. Debtor's counsel requests Nationstar to provide Debtor with the full post-petition accounting for the exact balance necessary to bring the account current.
13. The debtor wishes to retain their property located at 901 South 3rd Street, Philadelphia, Pennsylvania 19147 and knows that he must remain current in order to avoid any future attempts by Nationstar to modify the Automatic Stay.

WHEREFORE, Debtor respectfully requests this Honorable Court to vacate the Order Granting Relief from the Automatic Stay in regards to the property located at 901

South 3rd Street, Philadelphia, Pennsylvania 19147 allowing the debtor to continue making regular post-petition payments.

Dated: March 29, 2022

/s/ Brad J. Sadek, Esquire
Brad J. Sadek, Esquire
Sadek and Cooper
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